



STATE OF NEW YORK
OFFICE OF THE ATTORNEY GENERAL

JAN 13, 2011

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MEMO ENDORSED

212-416-8118

January 12, 2011

By Fax: (212) 805-4258
Honorable Debra Freeman
United State Magistrate Judge
Southern District of New York
United States Courthouse
500 Pearl Street
New York, NY 10007

USDC SDNY
DOCUMENT
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Re: Poquee v. Soto et. al., 10 CV 0265 (BSJ)(DCF)

Your Honor:

I am an Assistant Attorney General in the Office of Eric T. Schneiderman, Attorney General of the State of New York, counsel for defendants Corrections Officers Soto, Croom, Raposa and Sergeant Larsen in the above-referenced matter. I write, with the plaintiff's consent, to respectfully request that the fact discovery deadline be extended from January 14, 2011 to February 28, 2011 and that the remainder of the pre-trial schedule be modified as set forth below.

The parties respectfully propose the following modifications to the Court's June 25, 2010 scheduling order:

1. Fact discovery cut-off date: February 25, 2011.
2. Initial expert disclosures: March 14, 2011.
3. Rebuttal expert disclosures: April 14, 2011.
4. Expert discovery cut-off date: April 29, 2011.

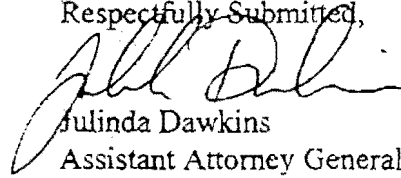
Page 2

An extension of time is necessary so that the parties may resolve any outstanding document demands. The parties have been diligently working to complete discovery and, to date, have exchanged over several hundred pages of documents and conducted depositions of the plaintiff and the defendants as well as three non-party witnesses. An extension of the discovery schedule is necessary so the parties may exchange a few outstanding items. One previous request for an extension of the discovery schedule was submitted by all parties.

In the event that the Court grants the requested extension, I also ask, with plaintiff's consent, that the status conference currently scheduled for January 19, 2011 be adjourned to a date that is convenient for the Court.

I thank the Court for its consideration in these matters.

Respectfully Submitted,


Julinda Dawkins
Assistant Attorney General

cc: Michael J. Beam
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Attorneys for Plaintiff
919 Third Avenue
New York, NY 10022
(By fax: 212-521-7520)

SO ORDERED:

DATE:

1/13/11

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DEBRA FREEMAN
UNITED STATES MAGISTRATE JUDGE